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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,769	01/16/2004	L. Scott Humphries	09710-1209	6307

7590 02/10/2006

WorldCom, Inc.
Technology Law Department
1133 19th Street NW
Washington, DC 20036

EXAMINER

BORKOWSKI, ROBERT

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/758,769	Applicant(s) HUMPHRIES ET AL.	
	Examiner Robert Borkowski	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/07/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-31** are rejected under 35 U.S.C. 102(e) as being anticipated by Godfrey et al. (U.S. Patent Application Publication No. 2005/0071079 A1).

Regarding claims 1, 8, 15, 22, 27, Godfrey et al. discloses a method for configuring telemetry devices (paragraphs 0034-0036, Fig. 4 element 202) over a wireless network (paragraph 0037, Fig. 2), the method comprising:

transmitting a configuration message (paragraphs 0019-0020, Fig. 8) over the wireless network (paragraphs 0034-0037) to one of the telemetry device (paragraph 0037) for configuring an input/output (I/O) port (Fig. 4 element 406) of the one telemetry device (paragraphs 0019-0020, Fig. 8), wherein the I/O port couples to an object

(paragraph 0034, Fig. 2), and the one telemetry device sets parameters relating to the I/O port according to the configuration message (paragraph 0019); and

receiving data (paragraph 0070, Fig. 2) corresponding to the I/O port of the one telemetry device for managing a plurality of objects corresponding to the telemetry devices (paragraph 0086, Fig. 8).

Regarding claims 2, 9, 16, 23, 28, Godfrey et al. discloses wherein transmitting a control message to the one telemetry device, in response to the control message the one telemetry device controlling one of the object via the I/O port and status of the I/O port (paragraph 0086, Fig. 8).

Regarding claims 3, 10, 17, 24, 29, Godfrey et al. discloses wherein a signal is received over the I/O port controls operation of the one telemetry device (paragraph 0086, Fig. 8).

Regarding claims 4, 11, 18, 25, 30, Godfrey et al. discloses wherein the object is an automobile (paragraph 0033, Fig. 2 element 101), and the signal represents an output of a sensor or a switch of the automobile (paragraph 0019).

Regarding claims 5-6, 12-13, 19-20, 26, 31, Godfrey et al. discloses wherein the wireless network is a two-way paging system (paragraphs 0034-0037) and includes a Global Positioning System (GPS) reference network (paragraphs 0043-0045, Fig. 4 element 405), the method further comprising:

receiving a location data request for Assisted-Global Positioning System (A-GPS) data over the wireless network from the one telemetry device; and

transmitting the A-GPS data in response to the location data request, wherein the one telemetry device determines location of the object based upon the A-GPS data (paragraphs 0042-0048), the one telemetry device being configured to determine autonomously (paragraph 0048) location of the corresponding object.

Regarding claims 7, 14, 21, Godfrey et al. discloses wherein receiving a message from a client to initiate transmission of the configuration message (paragraphs 0073-0082, Fig. 8).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents have been made of record of to further show:


- 1) Lowrey et al. U.S. Patent No. 6,611,740 a wireless system for monitoring a vehicle.
- 2) North et al. U.S. Patent Application Publication No. 2005/0177206 A1 a programming device used to program an implantable neurostimulator.
- 3) Jijina et al. U.S. Patent Application Publication No. 2004/0203696 the invention provides a method for wireless vehicle data upload.
- 4) Mihai et al. U.S. Patent Application Publication No. 2004/0176667 A1 a system is disclosed having a medical device that initiates a communication with a centrally situated server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Borkowski whose telephone number is 571-272-8626. The examiner can normally be reached on Monday - Friday 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM NGOC (KIM) HUYNH can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert Borkowski
Art Unit 2181
February 1, 2006



KIM HUYNH
SUPERVISORY PATENT EXAMINER
2/2/06